

**REMARKS****I. Rejections Under 35 U.S.C. §102**

Claims 5-21 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by <http://web.archive.org/web/20001018225142/www.mulehide.com/newprod.html>. In particular, the Examiner cites the "Maintenance Products" section of the website as showing that Mule-Hide had on sale "Seal-Fast repair tapes" more than one year before the Applicant's present application. Applicant traverses the rejection for at least the following reasons.

The cited website shows a **different product** than the one being claimed in the present application. The "Seal-Fast repair tapes" referred to are used for **repair** of certain low-slope roofs and surfaces. They are made from synthetic rubbers (non-butyl) and resins and are used to repair damaged roofs. The maintenance products shown in the cited website are **not** tapes that can be used to bridge a gap between adjacent building modules. For example, the repair tapes are **not** sufficiently rigid transversely to form a self supporting bridge resistant to detrimental sagging into the gap between the building modules when positioned over the gap.

By contrast, independent claim 5 recites a tape to bridge a gap between adjacent building modules and to sealably engage adjacent generally coextensive edge strips of roof membranes covering the modules. Unlike the cited repair tapes, the tape of claim 5 is sufficiently rigid transversely to form a self supporting bridge resistant to detrimental sagging into the gap between the building modules when positioned over the gap with the adhesive layer adhered to the edge strips of the roof membranes, as recited in independent claim 5. As such, Applicant submits that the website and products cited by the Examiner cannot anticipate at least claim 5, and that for at least these reasons claim 5 is patentable over the archive.org website. Applicant also submits that claims 6-17, which ultimately depend from independent claim 5, are patentable at least by virtue of their dependency. Claims 6-17 are also patentable because the cited reference does not disclose the features recited therein.

Applicant also submits that the maintenance products cannot anticipate claim 18 for at least the above reasons. Additionally, the cited reference cannot anticipate claim 18 because it does not disclose an elastomeric adhesive layer that is substantially equal in width to a specified maximum gap (between adjacent building modules) width plus the aggregate widths of the coextensive edge strips of the roof membranes, as recited in claim 18. The cited reference also does not disclose a

porous reinforcing material embedded in the adhesive layer, the reinforcing material comprising scrim material having a multiplicity of interstices therein, the reinforcing material being of a width of at least approximately the specified maximum gap width and less than the width of the adhesive layer, as recited in claim 18. The cited reference moreover does not disclose that the adhesive layer extends through said interstices of the reinforcing scrim between said lower and upper surfaces, and with the reinforcing material embedded therein has a thickness of between approximately 0.040 to 0.060 inches, as recited in claim 18. Further, the cited reference does not disclose that the adhesive layer with the reinforcing material embedded therein should be sufficiently flexible transversely to permit its selective deformation to generally conform to the angle between non-coplanar roof sections of building modules and adhesion of the tacky lower surface to the coextensive edge strips of roof membranes covering such roof sections, as recited in claim 18. For at least these reasons, Applicant submits that claim 18 is patentable over the cited reference. Applicant also submits that claims 19-21, which ultimately depend from independent claim 18, are patentable at least by virtue of their dependency. Claims 19-21 are also patentable because the cited reference does not disclose the features recited therein.

## **II. Rejections Under 35 U.S.C. §103**

Claims 22-27 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over <http://web.archive.org/web/20001018225142/www.mulehide.com/newprod.html> in view of Mule-Hide products ([www.mulehide.com/news5.html](http://www.mulehide.com/news5.html), 11/01/2001). Applicant traverses the rejection for at least the following reasons.

Applicant submits that the cited archive.org website cannot serve as the primary reference in a rejection under 35 U.S.C. §103 for at least the above reasons. Moreover, Applicant submits the mulehide.com page fails to cure the deficiencies of the archive.org website. As such, Applicant submits that claims 22-27 are patentable over the cited references.

Additionally, the cited references do not teach or suggest a roof system for a building including adjacent building modules with roof sections having a gap therebetween, the roof system including a tape positioned over the gap, the tape including a protective outer layer adhered to the upper surface of an adhesive layer, the tape and protective outer layer cooperatively establishing a self supporting bridge resistant to detrimental sagging into the gap between the roof sections, as recited in independent claim 22. Applicant also submits that claims 23-26, which ultimately depend

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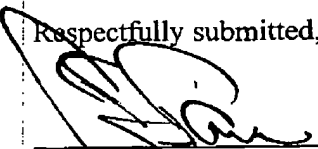
from independent claim 22, are patentable at least by virtue of their dependency. Claims 23-26 are also patentable because the cited references do not teach or suggest the features recited therein.

Further, the cited references do not teach or suggest an adhesive layer and an embedded reinforcing layer being provided flexible longitudinally for rolling with a release strip temporarily adhered to one of said tacky surfaces, and for unrolling lengthwise over the gap, as recited in independent claim 27. The cited references also do not teach or suggest a tape and protective outer layer cooperatively establishing a self supporting bridge resistant to detrimental sagging into the gap between the roof sections, and the tape and protective outer layer being cooperatively flexible transversely to permit selective deformation to generally conform to an angle between non-coplanar roof sections, as recited in independent claim 27. As such, Applicant submits that claim 27 is patentable over the cited references.

### III. In Closing.

Should the Examiner have any questions or comments with respect to the application, the Examiner is requested to contact the undersigned attorney. The attorney welcomes and encourages telephone calls related to this application because this may allow the resolution of disputed claim language and/or other informalities more rapidly and efficiently than by any other means. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055. ✓

Respectfully submitted,

  
Charles S. Sara, Reg. No. 30,492  
CUSTOMER NO.: 25005  
Intellectual Property Department  
DEWITT ROSS & STEVENS S.C.  
2 East Mifflin Street, Suite 600  
Madison, WI 53703-2865  
Telephone: (608) 255-8891  
Facsimile: (608) 252-9243

I certify that this paper is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

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